UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2002/64
19 December 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 11 (d) of the provisional agenda

CIVIL AND POLITICAL RIGHTS INCLUDING THE QUESTION OF INDEPENDENCE OF THE JUDICIARY, ADMINISTRATION OF JUSTICE AND IMPUNITY

Human rights in the administration of justice, in particular juvenile justice

Note by the Secretariat

1. In its resolution 2000/39, the Commission on Human Rights requested the Secretary-General to make available to it at its fifty-eighth session his reports on the administration of juvenile justice, as well as on the activities of the coordination panel on technical advice and assistance in juvenile justice, submitted to the Commission on Crime Prevention and Criminal Justice.

2. The Commission has before it the following reports of the Secretary-General submitted to the Commission on Crime Prevention and Criminal Justice at its tenth session:

(a) Projects involving international technical assistance and training in the field of crime prevention and criminal justice (E/CN.15/2001/7);

(b) Activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network (E/CN.15/2001/8).

GE.01-16374 (E) 261201

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2002/65
28 December 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 11 (a) of the provisional agenda

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF TORTURE AND DETENTION

Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Report of the Secretary-General

1. The General Assembly, in its resolution 39/46 of 10 December 1984, adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and called upon all Governments to consider signing and ratifying the Convention as a matter of priority.

2. The Convention was opened for signature in New York on 4 February 1985. In accordance with article 27 thereof, the Convention entered into force on 26 June 1987, on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

3. In its resolution 2001/62 of 25 April 2001, the Commission on Human Rights urged all States to become parties to the Convention as a matter of priority; encouraged States parties to consider limiting the extent of any reservations they lodged to the Convention, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation was incompatible with the object and purpose of the Convention; also encouraged States parties to review regularly any reservations made in respect of the provisions of the Convention with a view to withdrawing them; invited all States ratifying or acceding to the Convention and those States parties which had not yet done so to make the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20; and urged States parties to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention[1] as soon as possible.

GE.01-16552 (E) 250102

4. As at 12 December 2001, the Convention had been ratified, acceded to or succeeded to by 127 States. In addition, 11 States had signed the Convention. The list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, is contained in the annex to the present report.

5. As at the same date, 44 of the States parties to the Convention, namely Algeria, Argentina, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Poland, Portugal, the Russian Federation, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo, Tunisia, Turkey, Uruguay, Venezuela and Yugoslavia, had made the declarations provided for in articles 21 and 22 of the Convention. In addition, three States parties, namely Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America, had made the declaration provided for in article 21 only, thus bringing the total of declarations under that article to 47.[2] Finally, Seychelles had made the declaration provided for in article 22 only, thus bringing the total of declarations under that article to 45. Under article 21, a State party to the Convention may declare at any time that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention. Under article 22, a State party to the Convention may declare at any time that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

6. The provisions of articles 21 and 22 entered into force on 26 June 1987 in accordance with paragraph 2 of article 21 and paragraph 8 of article 22.

7. As at 12 December 2001, seven States, namely Afghanistan, China, Israel, Kuwait, Morocco, Saudi Arabia, and Ukraine, had declared, in accordance with article 28, that they do not recognize the competence of the Committee provided for in article 20 of the Convention. Under article 20 (paras. 1 and 2), if the Committee receives reliable information which appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State party, the Committee shall invite that State party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned. Taking into account any observations which may have been submitted by the State party concerned, as well as any other relevant information available to it, the Committee may, if it decides that this is warranted, designate one or more of its members to make a confidential inquiry and to report to the Committee urgently.

8. The Committee against Torture held its twenty-sixth and twenty-seventh sessions at the United Nations Office at Geneva from 30 April to 18 May 2001 and from 12 to 23 November 2001, respectively. In accordance with article 24 of the Convention, the Committee submitted its annual report,[3] which covered the activities of the Committee at its twenty-fifth and twenty-sixth sessions, to the States parties and to the General Assembly at its fifty-sixth session.

9. The eighth meeting of the States parties to the Convention was convened by the Secretary-General at the United Nations Office at Geneva on 28 November 2001, to elect five members of the Committee against Torture to replace those whose terms of office were due to expire on 31 December 2001. In accordance with article 17 of the Convention, five members of the Committee against Torture were elected for a term of four years beginning on 1 January 2002. Accordingly, the membership of the Committee for 2002 will be as follows:

Name of members	Country of nationality	Term expires on 31 December
Mr. Peter Thomas BURNS	Canada	2003
Mr. Guibril CAMARA	Senegal	2003
Mr. Sayed Kassem EL MASRY	Egypt	2005
Ms. Felice GAER	United States of America	2003
Mr. Alejandro GONZALEZ POBLETE	Chile	2003
Mr. Andreas MAVROMMATIS	Cyprus	2003
Mr. Fernando MARIÑO MENENDEZ	Spain	2005
Mr. Ole Vedel RASMUSSEN	Denmark	2005
Mr. Alexander M. YAKOVLEV	Russian Federation	2005
Mr. YU Mengjia	China	2005

Notes

[1] Adopted by the Conference of the States Parties on 9 September 1992 in accordance with article 29, paragraph 1, of the Convention (CAT/SP/SR.4) and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992.

[2] For the text of the declarations, reservations or objections made by States parties, consult the United Nations web site (www.un.org - human rights - treaties - sample access - status of multilateral treaties deposited with the Secretary-General - chap. IV.9).

[3] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44* (A/56/44).

ANNEX

List of States which have signed, ratified or acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as at 13 December 2001

State	Date of signature	Date of ratification, accession or succession
Afghanistan[d]	4 February 1985	1 April 1987
Albania		11 May 1994[e]
Algeria[a]	26 November 1985	12 September 1989
Antigua and Barbuda		19 July 1993[e]
Argentina[a]	4 February 1985	24 September 1986
Armenia		13 September 1993[e]
Australia[a]	10 December 1985	8 August 1989
Austria[a]	14 March 1985	29 July 1987
Azerbaijan		16 August 1996[e]
Bahrain		6 March 1998[e]
Bangladesh		5 October 1998[e]
Belarus	19 December 1985	13 March 1987
Belgium[a]	4 February 1985	25 June 1999
Belize		17 March 1986[e]
Benin		12 March 1992[e]
Bolivia	4 February 1985	12 April 1999
Bosnia and Herzegovina		6 March 1992[f]
Botswana	8 September 1985	8 September 2000
Brazil	23 September 1985	28 September 1989
Bulgaria[a]	10 June 1986	16 December 1986
Burkina Faso		4 January 1999[e]
Burundi		18 February 1993[e]
Cambodia		15 October 1992[e]
Cameroon[a]		19 December 1986[e]
Canada[a]	23 August 1985	24 June 1987
Cape Verde		4 June 1992[e]
Chad		9 June 1995[e]
Chile	23 September 1987	30 September 1988
China[d]	12 December 1986	4 October 1988
Colombia	10 April 1985	8 December 1987

State	Date of signature	Date of ratification, accession or succession
Comoros	22 September 2000	
Costa Rica	4 February 1985	11 November 1993
Côte d'Ivoire		18 December 1995[e]
Croatia[a]		8 October 1991[f]
Cuba	27 January 1986	17 May 1995
Cyprus[a]	9 October 1985	18 July 1991
Czech Republic[a]		1 January 1993[f]
Democratic Republic of the Congo		18 March 1996[e]
Denmark[a]	4 February 1985	27 May 1987
Dominican Republic	4 February 1985	
Ecuador[a]	4 February 1985	30 March 1988
Egypt		25 June 1986[e]
El Salvador		17 June 1996[e]
Estonia		21 October 1991[e]
Ethiopia		14 March 1994[e]
Finland[a]	4 February 1985	30 August 1989
France[a]	4 February 1985	18 February 1986
Gabon	21 January 1986	8 September 2000
Gambia	23 October 1985	
Georgia		26 October 1994[e]
Germany[a]	13 October 1986	1 October 1990
Ghana[a]	7 September 2000	7 September 2000
Greece[a]	4 February 1985	6 October 1988
Guatemala		5 January 1990[e]
Guinea	30 May 1986	10 October 1989
Guinea-Bissau	12 September 2000	
Guyana	25 January 1988	19 May 1988
Honduras		5 December 1996[e]
Hungary[a]	28 November 1986	15 April 1987
Iceland[a]	4 February 1985	23 October 1996
India	14 October 1997	
Indonesia	23 October 1985	28 October 1998
Ireland	28 September 1992	
Israel[d]	22 October 1986	3 October 1991
Italy[a]	4 February 1985	12 January 1989

State	Date of signature	Date of ratification, accession or succession
Japan[b]		29 June 1999[c]
Jordan		13 November 1991[c]
Kazakhstan		26 August 1998
Kenya		21 February 1997[c]
Kuwait[d]		8 March 1996[c]
Kyrgyzstan		5 September 1997[c]
Latvia		14 April 1992[c]
Lebanon		5 October 2000[c]
Lesotho		12 November 2001[c]
Libyan Arab Jamahiriya		16 May 1989[c]
Liechtenstein[a]	27 June 1985	2 November 1990
Lithuania		1 February 1996[c]
Luxembourg[a]	22 February 1985	29 September 1987
Madagascar	1 October 2001	
Malawi		11 June 1996[c]
Mali		26 February 1999[c]
Malta[a]		13 September 1990[c]
Mauritius		9 December 1992[c]
Mexico	18 March 1985	23 January 1986
Monaco[a]		6 December 1991[c]
Morocco[d]	8 January 1986	21 June 1993
Mozambique		14 September 1999[c]
Namibia		28 November 1994[c]
Nauru	12 November 2001	
Nepal		14 May 1991[c]
Netherlands[a]	4 February 1985	21 December 1988
New Zealand[a]	14 January 1986	10 December 1989
Nicaragua	15 April 1985	
Niger		5 October 1998[c]
Nigeria	28 July 1988	28 June 2001
Norway[a]	4 February 1985	9 July 1986
Panama	22 February 1985	24 August 1987
Paraguay	23 October 1989	12 March 1990
Peru	29 May 1985	7 July 1988
Philippines		18 June 1986[c]

State	Date of signature	Date of ratification, accession or succession
Poland[a]	13 January 1986	26 July 1989
Portugal[a]	4 February 1985	9 February 1989
Qatar		11 January 2000[c]
Republic of Korea		9 January 1995[c]
Republic of Moldova		28 November 1995[c]
Romania		18 December 1990[c]
Russian Federation[a]	10 December 1985	3 March 1987
Saint Vincent and the Grenadines		1 August 2001[c]
Sao Tome and Principe	6 September 2000	
Saudi Arabia[d]		22 September 1997[c]
Senegal[a]	4 February 1985	21 August 1986
Seychelles[c]		5 May 1992[c]
Sierra Leone	18 March 1985	25 April 2001
Slovakia[a]		29 May 1993[f]
Slovenia[a]		16 July 1993[c]
Somalia		24 January 1990[c]
South Africa[a]	29 January 1993	10 December 1998
Spain[a]	4 February 1985	21 October 1987
Sri Lanka		3 January 1994[c]
Sudan	4 June 1986	
Sweden[a]	4 February 1985	8 January 1986
Switzerland[a]	4 February 1985	2 December 1986
Tajikistan		11 January 1995[c]
The former Yugoslav Republic of Macedonia		12 December 1994[f]
Togo[a]	25 March 1987	18 November 1987
Tunisia[a]	26 August 1987	23 September 1988
Turkey[a]	25 January 1988	2 August 1988
Turkmenistan		25 June 1999[c]
Uganda		3 November 1986[c]
Ukraine[d]	27 February 1986	24 February 1987

State	Date of signature	Date of ratification, accession or succession
United Kingdom of Great Britain and Northern Ireland[b]	15 March 1985	8 December 1988
United States of America[b]	18 April 1988	21 October 1994
Uruguay[a]	4 February 1985	24 October 1986
Uzbekistan		28 September 1995[e]
Venezuela[a]	15 February 1985	29 July 1991
Yemen		5 November 1991[e]
Yugoslavia[a]		12 March 2001[f]
Zambia		7 October 1998[e]

Notes

[a] Made the declaration under articles 21 and 22 of the Convention.

[b] Made the declaration under article 21 of the Convention.

[c] Made the declaration under article 22 of the Convention.

[d] Made the declaration under article 28 of the Convention.

[e] Accession.

[f] Succession.